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S/1999/973
14 September 1999

ORIGINAL: ENGLISH

LETTER DATED 14 SEPTEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF ETHIOPIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a statement by the Ministry of Foreign Affairs of the Federal Democratic Republic of Ethiopia, issued on 14 September 1999, entitled "Ethiopia's bottom line - aggression must be reversed" (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Duri MOHAMMED
Ambassador
Permanent Representative

99-26571 (E) 150999

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Annex

Statement of the Ministry of Foreign Affairs of Ethiopia, issued on 14 September 1999

Ethiopia's bottom line - aggression must be reversed

There is no need to dwell at length on the objectives of Ethiopia in the Ethio-Eritrean conflict. Ethiopia's objective has always been the same since day one - the reversal of Eritrean aggression. Borders cannot be changed by force and international law must be adhered to. This is what Ethiopia said in May 1998. This is what Ethiopia says today in September 1999.

If aggression is not allowed to stand, Eritrea would need to take the necessary measures to vacate territory previously administered by Ethiopia. It has done nothing of the sort. Whatever territory it has been forced to leave has been recovered through the sacrifice of thousands of lives. Eritrea cannot be allowed to remain on Ethiopian soil and present itself as the champion of peace.

Since the very beginning, international efforts were directed at resolving the conflict, with the focus on achieving a cessation of hostilities as soon as possible. For Ethiopia, the victim of aggression, the cessation of hostilities has always been linked to Eritrea's withdrawal from territory previously administered by Ethiopia.

The failure of Eritrea to withdraw from territory it forcibly occupied in May and June 1998 has been the fundamental cause for the crisis between the two countries, which is being prolonged by Eritrean intransigence.

In May 1998, the United States and Rwanda, following a laborious three-week shuttle between Addis Ababa and Asmara, brought forth a set of recommendations that called on Eritrea to withdraw its forces from the town of "Badme and its environs", and for the former (Ethiopian) administration to be restored. The response from Asmara was to retort that Eritrea would never leave Badme, "even if the sun were to fail to rise again", while at the same time grabbing more territory along other parts of the border.

The Organization of African Unity (OAU) adopted the United States/Rwanda proposals and has, since June 1998, been calling for Eritrea to withdraw its troops. The OAU even had to send ambassadors to verify whether the territory had been under Ethiopian administration prior to 6 May 1998. Following such verification, the OAU High-Level Delegation, made up of the leaders of Burkina Faso, Zimbabwe and Djibouti, worked to formulate what came to be known as proposals for a Framework Agreement and, in November 1998, called on the two States to adopt them. Ethiopia, realizing that the proposals called for the reversal of the Eritrean aggression, accepted them. Eritrea refused to accept the proposals.

Furthermore, African leaders of countries that are members of the Central Organ for Conflict Prevention and Management met in mid-December and endorsed

the OAU proposals and called on both sides to swiftly implement them. Eritrea refused to heed the call of the OAU Central Organ and strengthened its military hold over the territories it had occupied by force.

In view of the fact that OAU and the international community as a whole were not achieving results, Ethiopia was forced to take defensive action and expel Eritrea from the Badme area. Thousands of lives were lost because of Eritrea's intransigence. Cynically and belatedly, on the morrow of their disastrous defeat at Badme at the end of February 1999, Eritrea's leaders said they accepted the OAU Framework Agreement.

Pressure was put to bear on Ethiopia to accept Eritrea's so-called acceptance of the Agreement at face value. But for Ethiopia, it was clear that Eritrea was only using its so-called "acceptance" to buy time. Eritrea's leaders not only refused to countenance withdrawal from areas other than Badme that were under their control, but they launched disastrous attempts to recapture Badme in late March, May and June 1999. Again thousands of lives were lost in an effort to widen the aggression, while at the same time Eritrea was telling the world that it has accepted the Framework Agreement.

In the meantime, it fell upon OAU to resolve a controversy created by Eritrea. Claiming that it was only required to withdraw from only part of the territory it had occupied by force (the part from which it had been evicted in February 1999 by Ethiopia), it refused to commit itself to withdraw from territories that it had overrun in June 1998. The letter of 8 May 1999 from the Chairman of OAU, President Blaise Campaore, calling on Eritrea to withdraw from all territories to positions it held prior to 6 May 1998, fell on deaf ears. It was only after further defeats on the ground, most notably in late June 1999, that the point was driven home to Eritrea's leaders that, at the very least, they had to appear to accept to return to the status quo ante as of 6 May 1998. All this after further damaging loss of life that will be evident to the world as time goes by.

This is the setting and context on the basis of which Eritrea's presentation of itself as a State ready to make peace should be seen. After having failed to have its amendments on the modalities for the Framework Agreement accepted during the June 1999 OAU summit in Algiers, Eritrea has been telling the world that it is ready for peace while:

- Launching attacks on Ethiopian positions in Zalanbessa on 1 and 2 September 1999;
- Embarking on a new round of military conscription;
- Intensifying its proxy war against Ethiopia through Somalia by launching terrorist groups;
- Dismantling settlements and towns it has occupied and working to transform the Ethiopian identity of the territories subject to redeployment.

It should, therefore, come as no surprise if Ethiopia should not put trust in the pledges made by the leaders of Eritrea to the effect that they would implement the peace plan. Neither can Ethiopia be blamed for not expecting justice at the hands of the international community. The world has yet to explicitly condemn Eritrea for its aggression, while it has not been silent when aggression has been committed in Europe and Asia, let alone compel Eritrea to leave territories it had taken by force.

That is why, at the very least, Ethiopia's position should be understood by the international community as a whole and the United Nations Security Council in particular, Ethiopia is not interested in prolonging the war; the war was imposed on it in the first place. Ethiopia has no motive other than the return of territories taken by Eritrea. Imputing this or that motive to Ethiopia while its territory is still occupied cannot be taken seriously.

Ethiopia has said from day one that it seeks first the withdrawal of Eritrean troops. More recently, in July 1999, Ethiopia explained its position in two letters to OAU Chairman, President Abdulaziz Bouteflika of Algeria, in which it was stressed that the verification of areas covered by redeployment will have to be finalized ahead of time, before any other measure in the peace process is taken. Ensuring this should not be a difficult task, and Ethiopia, as the victim of aggression, certainly deserves such a guarantee. The Ethiopian Government cannot be expected to tell its people, after all that has passed, that the restoration of Ethiopian sovereignty is dependent on the decision arrived at by third parties at a future date. It is when it is clearly demonstrated that aggression does not pay and that international law is respected that the agreement will truly be of value.

That Ethiopia remains committed to peace should be clear to all. Ethiopia, however, calls on the international community to understand its position and that what it seeks are firm guarantees that its territories will be returned, thereby paving the way for the peace process to proceed smoothly with the implementation of the OAU Framework Agreement. Various loopholes, real or apparent, have been used by Eritrea previously for refusing to do what it must. What it must do is vacate every inch of occupied Ethiopian land. This has always been Ethiopia's bottom line. Ethiopia asks nothing more and nothing less. No loopholes should, even at this stage, be allowed to frustrate Ethiopia's effort to ensure that the Eritrean aggression is reversed in full.

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LETTER DATED 14 SEPTEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED ARAB EMIRATES TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith the text of the press communiqué issued by the Ministerial Council of the Gulf Cooperation Council at its seventy-second regular session, held in Jeddah, Saudi Arabia, on 10 and 11 September 1999 (see annex). I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Mohammad J. SAMHAN
Ambassador
Permanent Representative

Annex

Press communiqué issued by the Ministerial Council of the Gulf Cooperation Council at its seventy-second session, held in Jeddah on 10 and 11 September 1999

On 10 and 11 September 1999 the Ministerial Council of the Gulf Cooperation Council (GCC) held its seventy-second regular session in Jeddah, Saudi Arabia, under the chairmanship of His Excellency Mr. Rashid Bin Abdullah al-Nuaimi, Minister for Foreign Affairs of the United Arab Emirates and Chairman-in-Office of the Ministerial Council. The meeting was attended by:

His Excellency Sheikh Mohammed Bin Mubarak Al Khalifa, Minister for Foreign Affairs of Bahrain;

His Royal Highness Prince Saud al-Faisal, Minister for Foreign Affairs of Saudi Arabia;

His Excellency Mr. Yousef Bin Alawi Bin Abdullah, Minister responsible for Foreign Affairs of Oman;

His Excellency Sheikh Hamad Bin Jasim Bin Jabr Al Thani, Minister for Foreign Affairs of Qatar; and

His Excellency Mr. Sulayman Majid al-Shahin, Minister of State for Foreign Affairs of Kuwait.

His Excellency Mr. Jamil Ibrahim al-Hegelan, GCC Secretary-General, also participated in the meeting.

The Ministerial Council offered the Custodian of the Two Holy Mosques, King Fahd Bin Abdul-Aziz Al Saud, its most heartfelt condolences on the death of His Royal Highness Prince Faisal Bin Fahd Bin Abdul-Aziz, Director-General of Youth Welfare, may the Lord protect him with His infinite grace and grant him favour.

The Ministerial Council reviewed progress made in cooperation and developments with respect to the regional, pan-Arab and international political and security issues of concern to GCC member States.

Progress made in cooperation

Economic matters

The Council considered the progress made in joint economic action by member States as reflected in the documentation of the ministerial committees and the relevant reports submitted to it.

The Council was informed of the steps taken at the fiftieth meeting of the Committee on Financial and Economic Cooperation, held in Riyadh in May 1999, with regard to the establishment of a GCC customs union. It expressed

satisfaction at the completion of the classification of all goods for the purpose of establishing a standard customs tariff for member States vis-à-vis the rest of the world and at the harmonization of views that had taken place concerning the proposed tariff rates for the two categories "basic goods" and "other goods". The Council approved the Committee's recommendation that national ownership, stipulated in the Unified Economic Agreement as a prerequisite if industrial products were to acquire the status of products of national origin, should no longer be required, and it decided to submit the recommendation to the Supreme Council for endorsement.

The Council was also informed that, at its twentieth and twenty-first meetings, held in May and June 1999 respectively, the Committee for Cooperation in regard to Electricity and Water had approved the articles of incorporation and statute of the Electricity Grid Interlinkage Authority, to be based in Saudi Arabia, and had launched it as a joint-stock company preparatory to the implementation of the first phase of the project.

The Council took note of the recommendations adopted by the Ministerial Posts and Communications Committee at its twenty-first meeting, held in February 1999, including the recommendation to lower mutual settlement rates among member States as a preliminary step towards reducing charges for telephone calls between them.

It also took note of the decisions and recommendations concerning the augmented activities of the Scientific and Technical Cooperation Committee and the Committee of Heads of GCC Statistical Organizations and on the uniform scheduling of general censuses in member States, as reflected in the record of the eighth meeting of the Planning and Development Committee.

The Council heard a report on the progress of negotiations with the European Commission on the conclusion of a free-trade agreement between the GCC States and the States members of the European Union. It approved the request of Bahrain to be allocated the post of GCC Chief of Mission in Brussels as of 2002.

The Council also heard a report on the negotiations on a Declaration of Principles on cooperation between the GCC States and the States members of the European Free Trade Association (EFTA). It approved the draft of the Declaration submitted to it.

The Council reviewed the current situation in the petroleum market and expressed satisfaction at the improved price levels and at continued compliance with the agreement recently reached between the OPEC countries and the non-OPEC countries, which had helped to promote the interests of producers and consumers alike.

Military matters

The Council heard a report on the outcome of the meetings held on coordination and cooperation in military matters and expressed satisfaction at the progress made.

Man and the environment

The Council was informed of a number of follow-up reports on the environment, health, education, culture, youth and sports, and it expressed satisfaction at the progress made in cooperation in these areas. It affirmed the support of member States for the United Nations Environment Programme's Regional Office for West Asia remaining in Bahrain permanently.

Legal matters and judicial cooperation

The Council reviewed the agreements reached by the Ministers of Justice of the GCC States at their tenth meeting, held in Kuwait, concerning the promotion and consolidation of judicial cooperation among member States and expressed its satisfaction therewith.

Political issues

Iraq's compliance with the Security Council resolutions relating to its aggression against Kuwait

The Council discussed developments in the context of Iraq's compliance with the Security Council resolutions resulting from its aggression against Kuwait. It noted that, after more than nine years, Iraq was still temporizing on compliance with fundamental aspects of the relevant Security Council resolutions. It again expressed regret that the Iraqi regime was continuing to defy resolutions that had the force of international law and to reject the initiatives taken and proposals made at the inter-Arab and international levels for the creation of an effective mechanism and a workable procedure, within the framework of the United Nations, for the lifting of the international economic embargo being maintained against Iraq and for ending the suffering of the Iraqi people.

In this context, the Council reaffirmed its call to the Iraqi Government to respond swiftly to inter-Arab and international appeals to the effect that there must be compliance with all Security Council resolutions. It urged Iraq to cooperate fully with the Secretary-General of the United Nations in the implementation of the relevant resolutions, specifically those concerning genuine cooperation with the International Committee of the Red Cross for the release of Kuwaiti and third-country prisoners and hostages, the return of Kuwaiti property, and an undertaking to refrain from any act of provocation or aggression against Kuwait and neighbouring States, as required by Security Council resolution 949 (1994), in order to promote security and stability in the region.

The Council reaffirmed that Iraq had still to demonstrate its peaceful intentions towards its neighbours by word and deed and to acknowledge that its invasion of Kuwait had been a violation of the relevant pan-Arab and international covenants, such as the Pact of the League of Arab States, the Joint Defence and Economic Cooperation Treaty between the States of the Arab League and the Charter of the United Nations.

Recalling the well-established positions taken by the GCC member States and given their responsibilities at the regional, pan-Arab and international levels, the Council again expressed genuine empathy and fellow feeling for the fraternal Iraqi people in the suffering it was enduring because of its Government's policies and intransigence. It affirmed its determination to pursue its efforts with a view to ending the plight of the long-suffering Iraqi people, and it stressed the need to preserve the independence, unity and territorial integrity of Iraq.

Relations with Iran

The Council reviewed the work of the Committee of Three entrusted with the task of preparing the way for direct negotiations between the United Arab Emirates and the Islamic Republic of Iran on the question of the islands. The Committee requested the Council's approval for it to continue the efforts it had begun to prepare a suitable climate for direct negotiations between the two countries.

The peace process in the Middle East

The Council considered developments in the peace process in the Middle East. The Council welcomes the agreement reached between the Palestinian and Israeli sides on 4 September 1999 at the Sharm al-Shaykh resort in Egypt, and it expresses the hope that this agreement will be coupled with honest intentions and will meet with full and meticulous implementation on the part of the Israeli Government.

The Council expressed its conviction that the peace process in the Middle East could be carried through to completion only by the restoration of legitimate Arab rights in implementation of the relevant United Nations resolutions, the principles of the Madrid Conference and the principle of land for peace, in accordance with Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and by the Palestinian people's attainment of all its legitimate national rights, including the right to establish an independent State with Jerusalem as its capital.

The Council affirmed its full support for Syria in its demand for the resumption of negotiations from the point at which they were suspended, for recognition of its legitimate right to the return of the occupied Syrian Golan heights and for the withdrawal of Israel to the boundary lines of 4 June 1967 and from southern Lebanon and the Western Bekaa, in accordance with Security Council resolutions 425 (1978) and 426 (1978), without restrictions or conditions.

The Council appreciates the pan-Arab and international efforts made to facilitate the conclusion of the Sharm al-Shaykh Memorandum by the Palestinian and Israeli sides. It calls upon the co-sponsors of the peace process, particularly the United States of America, and on the European Union and its member States to continue and to intensify their efforts as active partners in the peace process and to endeavour to revive the negotiations on the Syrian and Lebanese tracks in order to achieve a just and comprehensive peace in the Middle East region.

Elimination of weapons of mass destruction

The Council once more called upon the international community to take action to transform the Middle East region, including the Gulf, into a zone free of all weapons of mass destruction, including nuclear weapons. The Council again affirmed that Israel must accede to the Treaty on the Non-Proliferation of Nuclear Weapons and submit all its nuclear facilities to the International Atomic Energy Agency inspection regime.

The Council considered the consequences of the devastating earthquake in Turkey. It offered its sincere condolences and expressed its sympathy with Turkey and its people for the victims of the earthquake, which had left large numbers of dead and injured, beseeching Almighty God to instill their kith and kin with fortitude and grant them solace. To help mitigate the consequences of this devastating earthquake and further to the immediate assistance they hastened to provide to Turkey, and in appreciation of the historical relations and cultural and religious ties that bind them, the GCC member States have decided to contribute to a funding programme a sum in the order of 400 million United States dollars to be channelled for the financing of reconstruction and development projects in the areas affected by the earthquake. In order to complete this task, a joint technical mission from the GCC member States will shortly visit Turkey to identify the projects to be financed in agreement with the authorities concerned.

The Council reviewed events in the islands of East Timor and considered the pressures being brought to bear on Indonesia despite its acceptance of the outcome of the elections and its endeavour to give effect to that outcome by calming the situation and bringing it under control. The Council expressed the hope that the international community would support the Indonesian Government in order to facilitate its efforts to restore security and stability to the area.

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ORIGINAL: ENGLISH

LETTER DATED 14 SEPTEMBER 1999 FROM THE MINISTER FOR FOREIGN AFFAIRS OF AUSTRALIA ADDRESSED TO THE SECRETARY-GENERAL

I am writing in response to your request to the Prime Minister regarding Australian leadership of the proposed multinational force in East Timor, a force which we anticipate will be mandated by the Security Council in the coming days and which has the agreement of the Government of Indonesia.

I am pleased to inform you that Australia would be willing to accept the leadership of the multinational force. As the Prime Minister has already informed you, we are also prepared to make a substantial contribution to the force itself.

As you would be aware, Australia has also been active in encouraging a wide range of countries to participate in the force. We look forward to working with regional and other countries to help resolve the situation in East Timor and, as an interim measure, to help bring the United Nations mandated tripartite process back on track until such time as a United Nations peacekeeping operation can be deployed.

May I take this opportunity to congratulate you on your strong leadership on this issue. The United Nations commitment to resolving the problems of East Timor, including the outstanding work of the United Nations Mission in East Timor (UNAMET) team led by Ian Martin, has been greatly appreciated by Australia and other members of the international community.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Alexander DOWNER

99-26394 (E) 140999

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14 September 1999

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REPORT OF THE SECURITY COUNCIL MISSION TO JAKARTA AND DILI, 8 TO 12 SEPTEMBER 1999

I. OBJECTIVES OF THE MISSION

1. The Security Council Mission dispatched to Jakarta and Dili from 8 to 12 September 1999 was entrusted with the task of discussing with the Government of Indonesia concrete steps for the peaceful implementation of the 5 May Agreement (S/1999/513). The Mission was to welcome the undertaking by the Government of Indonesia to fulfil its obligations under the 5 May Agreement, but to note that the Government's efforts so far had not been able to prevent an intensification of violence in the Territory. It was to state its particular concern at the recent campaign of violence against the United Nations Mission in East Timor (UNAMET) and urge the Government to ensure security and to allow UNAMET to implement its mandate without hindrance. The Mission was asked to stress that the people of East Timor had made a clear choice in favour of independence, that their will must be respected and that the international community looked forward to working with the Government of Indonesia in bringing East Timor to independence.

II. COMPOSITION OF THE MISSION

2. The Mission was composed of the following members:

Ambassador Martin Andjaba (Namibia), Head of mission

Ambassador Hasmy Agam (Malaysia)

Minister Alphons Hamer (Netherlands)

Ambassador Danilo Türk (Slovenia)

Ambassador Jeremy Greenstock (United Kingdom of Great Britain and Northern Ireland)

Mr. Francesc Vendrell (United Nations Secretariat), Deputy Personal Representative of the Secretary-General

III. PROGRAMME AND SUMMARY OF MEETINGS

3. Briefing by United Nations and UNAMET staff (8 September). In the briefings, staff described unequivocally the deterioration in the security and humanitarian situation in East Timor since the announcement of the result of the ballot, in contrast with the attempt by the Indonesian authorities to give a reassuring account. This and other briefings left the Mission in no doubt that large elements in the military and police authorities had been complicit in organizing and supporting the action of the militias.

4. Meeting with Foreign Minister Alatas (8 September). The Mission conveyed to Foreign Minister Alatas the grave concern of the Security Council over the current situation in East Timor and expressed its wish to work with the Government in a spirit of pragmatism and cooperation to address the security and humanitarian situation. The Mission emphasized the need to ensure that UNAMET and international relief organizations would be allowed to return to East Timor and carry out their functions fully. A final withdrawal of UNAMET would send a very bad signal of the failure of the Government to stabilize the situation. Foreign Minister Alatas expressed Indonesia's shared concern over the crisis in East Timor, but insisted that while the Government would welcome any assistance in providing humanitarian relief, it would not contemplate any foreign military presence in East Timor before the Indonesian Parliament met and addressed the outcome of the popular consultation. Until then, Indonesia should be allowed to resolve the security situation. The Mission stressed that if the situation were to continue deteriorating while the Government did not accept the offer of help from the international community, Indonesia would be subjected to severe international criticism.

5. Meetings with the Jakarta diplomatic corps (8 and 10 September). The Mission discussed the current situation in East Timor with Jakarta-based ambassadors. A number of ambassadors firmly underscored the complicity by the Indonesian military and police in the actions of the militia and described a coordinated campaign to rid the Territory of all foreign presence. Concerns were also expressed that the Government no longer had control over the military, at least with respect to the situation in East Timor, where the military was wilfully contradicting the policy of the Government. The ambassadors strongly supported the idea of the visit of the Mission to East Timor. They expressed doubts that the Government would agree to cooperate with an international security force in East Timor. Following the Mission's visit to East Timor, the ambassadors were briefed on the Mission's findings.

6. Meeting with Madam Megawati Soekarnoputri (8 September). The Mission explained its objectives and asked Madam Megawati to refrain from treating any emerging willingness of the Government of Indonesia to accept an international security presence as a stick with which to beat the Government. She agreed, but declined to make a public statement in support of the idea of international intervention. She criticized President Habibie strongly for agreeing to the 5 May Agreement process when, as she alleged, his legitimacy as leader of Indonesia was fading away. The Mission declined to enter into the domestic political aspects.

7. Meetings with Mr. Xanana Gusmao (9 and 12 September). Mr. Gusmao appealed in the strongest terms to the Mission to act immediately to save lives in East Timor. He stated categorically that East Timor was not in a state of civil war; rather, it was suffering what amounted to a campaign by the military to exterminate East Timorese and lay waste to its cities, possibly with the intent to partition the Territory. He reported that 12 battalions of the Indonesian Armed Forces (TNI) had entered the Territory from West Timor, and stated that, should that "invasion" reach the westernmost of Falintil's four cantonment sites, Falintil would have no choice but to defend itself. There were currently thousands of internally displaced persons seeking refuge at the cantonment sites. Following the Mission's visit to Dili, representatives of the Mission called upon Mr. Gusmao to brief him on the situation on the ground. When it became evident that the Government was about to announce its willingness to cooperate with the international community, Mr. Gusmao was encouraged to issue a statement in measured and conciliatory terms.

8. Meeting with President Habibie (9 September). The Mission conveyed to the President that the situation in East Timor had gone far beyond the acceptable and asked him to consider the offer of assistance from the international community. President Habibie rejected any foreign military presence before the Indonesian Parliament had acted on the consultation result. He said that would send the wrong signal to Indonesians regarding the military and risk the Balkanization of Indonesia. The Mission underlined the fundamental point that the degree of confidence which the Security Council would have in Indonesian actions would be directly related to the extent to which UNAMET could deploy and operate normally. The President agreed that it was essential to keep UNAMET in East Timor and maintained that security for the UNAMET compound would be redoubled and its water and food needs met. The Mission reached agreement with the President that it would travel to Dili, both to assess the situation first-hand and to show its support to UNAMET. On preparations for phase III, the Mission suggested that bringing forward the preparation of the security element of the United Nations share of the responsibility for the Territory would be a way of contributing to the maintenance of security in phase II. President Habibie rejected the idea.

9. Meeting with Defence Minister General Wiranto and the General Staff (9 September). While acknowledging that there were problems in East Timor, General Wiranto stated that TNI was committed to handling the situation, however complex. After the results of the balloting were announced, the pro-integration group, concerned about what it considered to be biased behaviour on the part of UNAMET staff, had erupted into violence. A further complication was that a substantial number of the police and military in East Timor were local East Timorese and were thus, in his words, "understandably" against independence. Linguistic and cultural differences, coupled with the size of the territory, had made the work of TNI more difficult. General Wiranto had full confidence that martial law would allow his forces to stabilize the situation and begin to tend to the needs of the refugees. In his view, pro-integration anger at UNAMET was so high that the situation would only deteriorate further if United Nations troops were brought in at the current stage. The Mission contested his analysis throughout and pointed to the lack of political will on the part of the Government. News reports received during the meeting, telling of violence

against the UNAMET compound, graphically illustrated the General's misplaced confidence.

10. Meeting with Indonesian NGO representatives (10 September). A group of Indonesian NGO leaders met with two members of the Mission to convey their concerns and discuss the situation in East Timor. The group presented a joint statement signed by 15 NGOs calling for: immediate Security Council meetings to decide on the dispatch of a peacekeeping force to East Timor; concrete steps by the Government to stop the violence in East Timor by complying with the 5 May Agreement and arresting militias; and the immediate lifting of the martial law in East Timor by the Government of Indonesia.

11. Visit to Dili (11 September). The Mission had highly useful meetings with local military commanders, toured the town and visited the UNAMET compound. It also met with Bishop Nascimento. While there were no security incidents during the period of the visit, the Mission was left with a strong sense of shock at the destruction which had taken place, concern at UNAMET's severe loss of confidence in the security provided by the local forces and distress at the desperate state of the displaced population. A large media party represented this to the outside world. During the course of the visit, it became clear that General Wiranto's views had also undergone a change.

12. President Habibie's press statement and the Mission's visit with the President (12 September). Shortly before a scheduled visit with the Mission, President Habibie announced to the press that while the Indonesian defence forces had done their utmost under very difficult and complex circumstances to stabilize the situation in East Timor, they had had to recognize that there were limits to what they could further achieve. He had therefore informed the Secretary-General of Indonesia's readiness to unconditionally "accept international peacekeeping forces through the United Nations from friendly nations to restore peace and security in East Timor, to protect the people and to implement the results of the direct ballot of 30 August 1999". Foreign Minister Alatas would travel to New York to prepare for the implementation of the cooperative effort between the United Nations and the Government of Indonesia.

13. During the subsequent meeting with the Mission, the President expressed his Government's willingness to allow for evacuation to Australia of the internally displaced persons in the UNAMET compound; to facilitate air drops of food and other necessities to other internally displaced persons in the hills; as well as to ensure that Falintil would not come under attack by the militias.

IV. ANALYSIS

14. Reports by the Secretary-General to the Security Council during phase I of the popular consultation described the impunity with which pro-autonomy militias were allowed to carry out violent activity. It was apparent to the Mission, through its own observation and through discussion with United Nations staff, that this activity could not have occurred without the involvement of large elements of the Indonesian military and police. Briefings by UNAMET staff in Jakarta and Dili described how, during post-consultation violence which forced

the closure of UNAMET's regional offices, there were clear instances when police and TNI forces stood aside to allow militias into towns to conduct organized and coordinated campaigns of arson and terror. One aim of this was to rid the Territory of any international presence, including UNAMET, humanitarian workers and the media, thereby limiting outside observation. Another was to implement a coordinated, forced relocation programme in which tens of thousands of East Timorese have been moved to West Timor. There were consistent reports of the direct involvement of large elements of TNI and the police in this forced relocation campaign. The organized and coordinated nature of this campaign, the Territory-wide effort to force out UNAMET and other international presences and the lack of adequate response to militia violence despite the overwhelming superiority of TNI and the police all support the view that militia activities were organized and supported by parts of TNI.

15. There was clearly a disconnect between the situation on the ground and the assessment of the situation in East Timor as presented by President Habibie and his senior advisers. They described the post-ballot violence as stemming from disgruntled pro-autonomy supporters angry at perceived UNAMET bias, with the Indonesian military struggling to resolve the latest expression of long-standing strife between East Timorese. However, as outlined above, the widespread destruction on the ground was the result neither of popular sentiment nor of civil war. Rather, there were clear signs that the evidence could, as many UNAMET staff described it, be "switched on and off". During its 11 September meeting with Defence Minister General Wiranto, the Mission received word that militias were at that very moment attempting to loot vehicles from the UNAMET compound. When General Wiranto had his staff check on the situation, he was apparently told at first that the situation at the compound was normal, despite the seriousness of the actual circumstances. The Mission had the distinct impression that when the General travelled to Dili along with the Mission and toured the city, he had not been prepared for the extent of the destruction. Accurate first-hand information as to the situation on the ground may well have contributed to the change in Government policy.

16. It was clear to the Mission that martial law, implemented on 7 September, had not succeeded in stabilizing the situation. In Dili, there appeared little left for the militias to loot by the time of the arrival of the Mission on 11 September. Despite assurances by the authorities that UNAMET's security would be a prime objective of martial law, on 10 September, Aitarak militia were allowed freely past TNI and police checkpoints into the environs of the UNAMET compound. UNAMET then observed TNI soldiers assisting the militia in their attempt to loot UNAMET vehicles. When UNAMET military liaison officers came under direct threat and demanded that TNI act to stop the militiamen, the TNI soldiers informed them that they had no orders to shoot the militia. Direct evidence such as this, as well as the destruction of the city as a whole, made nonsense of the argument that martial law might solve the problem of the violence which had befallen East Timor.

17. It was also apparent that the introduction of martial law had been unable to respond adequately to the humanitarian crisis in East Timor, despite assurances by the authorities that that had been one of its aims. The campaign of militia terror and forced relocation had created a crisis which was largely unobserved and unobservable at the time of the Mission. It has gone largely

unreported that considerable numbers of militiamen entered East Timor from West Timor to bolster the actions of the militia there. There were widespread reports of militias taking pro-independence supporters and activists from the displaced populations in transit and in West Timor. There were also reports that the tens of thousands of East Timorese who had fled to the Falintil cantonment sites and elsewhere in East Timor were perilously close to starvation.

V. CONCLUSIONS

18. It became increasingly clear to the Mission during its visit that the accounts given by the Government of events in East Timor and of action taken by Indonesia to carry out its responsibilities under the 5 May Agreement did not tally with the briefings provided by United Nations staff and senior diplomatic representatives in Jakarta and Dili, nor with events observed on the ground. Confronting the Government with its lack of credibility in this regard contributed to the development of policy in a positive direction.

19. The involvement of large elements of the Indonesian military and police in East Timor in organizing and backing the unacceptably violent actions of the militias has become clear to any objective observer and was acknowledged publicly by the Minister of Defence on 11 September. The repeated failure of the defence forces, in spite of their undoubted capability, to carry out the Government's obligations and assurances to provide security to UNAMET, international organizations and the population as a whole meant that the Indonesian authorities were either unable or unwilling to provide the proper environment for the peaceful implementation of the 5 May Agreement. The introduction of martial law on 7 September did not alter this state of affairs. Cooperation between the Government of Indonesia and the international community therefore became essential for effective implementation; and the Government's recognition of this on 12 September is to be welcomed. This cooperation must be directed above all to providing security and basic needs to all sections of the East Timorese population without discrimination and to the refugee population in West Timor.

20. In humanitarian terms, the situation of the majority of the population in East Timor and of the refugee population in West Timor is extremely grave. While further detailed analysis and assessment is necessary, there is an urgent need to address this problem, ideally with the full cooperation of the Indonesian authorities. Action is needed to deter further violence by the pro-autonomy militias or clashes between the militias and the pro-independence Falintil.

21. There is strong prima facie evidence of abuses of international humanitarian law committed since the announcement of the ballot result on 4 September. This needs further investigation. UNAMET's report of 11 September (see annex) is relevant in this respect.

22. Although the Mission made it unequivocally clear that the security and operability of UNAMET was an important criterion of Indonesian performance in carrying out its responsibilities, the relevant authorities allowed UNAMET's

situation to deteriorate during the Mission's stay. UNAMET's security will need to be kept under constant review, and evacuation of Dili arranged if necessary, until an international security force is present on the ground. The security and welfare of the internally displaced persons (IDPs) in the UNAMET compound require special attention.

23. The Security Council Mission pays tribute to the Head of UNAMET and to its staff, and to the members of United Nations and international humanitarian organizations still working in and on East Timor, for their courage and determination in upholding the standards and practices of the United Nations in appalling circumstances.

24. Preparation of United Nations action to fulfil its responsibilities under phase III of the 5 May Agreement could be advanced to dovetail with the enhanced security to be provided by international security cooperation in phase II.

25. Consideration should be given to the regional and international importance of Indonesia and to Indonesia's need for support in its transition to full democracy and a successful market economy. This is an extremely sensitive time in internal Indonesian politics. But the problem of East Timor demands priority because of the intensity of its humanitarian crisis and because of ineffective Indonesian action so far in responding to Security Council resolutions implementing the 5 May Agreement. These two factors could be brought together because the implementation of the 5 May Agreement will contribute to the successful process of transition for Indonesia.

26. This Mission of the Security Council was above all dedicated to helping the Government of Indonesia to develop its understanding of the international community's perception of the East Timor crisis. Our task was significantly assisted by the Government's realization that the international community gave priority to East Timor and was beginning to take action to signal this in concrete terms. The Indonesian Government's announcement of 12 September was the result. The work of the Security Council Mission should be viewed in that wider context.

VI. RECOMMENDATIONS

27. The Mission submits the following recommendations for the consideration of the Security Council as a result of its visit to Jakarta and Dili from 8 to 12 September 1999:

(i) The grave humanitarian crisis in East Timor should be given the topmost priority by the United Nations, in terms both of supply of basic needs to the displaced population, including in West Timor, and of insistence that the Government of Indonesia provide access and security to United Nations and international humanitarian organizations;

(ii) The Security Council should welcome the decision of the President of Indonesia to invite an international peacekeeping force to cooperate with Indonesia in restoring peace and security in East Timor and

should adopt a resolution without delay to provide a framework for the implementation of that proposal;

(iii) The Secretary-General, advised by his Special Representative in East Timor, should consider reducing to a minimum, or if necessary evacuating, the UNAMET deployment in Dili before the arrival of an international security presence, provided that the safety and welfare of the IDPs in the UNAMET compound has been satisfactorily arranged;

(iv) The Security Council should consider authorizing an advance party of the international security presence to undertake urgent and essential tasks in and around Dili related to UNAMET and the provision of humanitarian supplies;

(v) The Secretary-General should be invited to submit plans for the advance preparation of United Nations action in phase III in ways which contribute to the more effective implementation of phase II under the new circumstances;

(vi) The Security Council should hold the Government of Indonesia to its obligations under phase II of the 5 May Agreement, both before and after the arrival of an international security presence, with particular insistence on the proper care of IDPs and on curtailing the role of the militias and preventing any clashes between the militias and Falintil;

(vii) The Security Council should institute action for the investigation of apparent abuses of international humanitarian law on the ground in East and West Timor since 4 September.

Annex

The destruction of East Timor since 4 September 1999: report prepared by UNAMET on 11 September 1999

1. The events witnessed in East Timor since 4 September 1999 represent the fulfilment of the worst threats made by the pro-autonomy campaigners and their Indonesian Government supporters. In the guise of a backlash against the vote for independence, what has actually happened is nothing less than a systematic implementation of a "scorched earth" policy in East Timor, under the direction of the Indonesian military.

2. A detailed assessment of the situation in East Timor is impossible at this time. The United Nations Mission in East Timor (UNAMET) has been completely pinned down in the headquarters compound and, except for certain essential tasks, has been unable to make any direct observation in Dili, let alone in the rest of the Territory. We receive many unconfirmed reports of deaths and major atrocities, some of which, thankfully, have proved to be unfounded. The following conclusions come from our cautious assessment of a variety of sources of information.

Widespread destruction

3. In Dili it would appear that virtually every home or building has been systematically looted of its contents, and a large proportion of them have been burned. The central business district has been entirely gutted. Militias and TNI soldiers have been observed over the past few days loading trucks with equipment and supplies taken from these homes, and the dock in Kupang, West Timor, is said to be bulging with kitchen appliances for sale. We believe that similar situations exist in other regions, such as Aileu, Ermera and Maliana.

Forced displacement

4. Similarly, reports have been received from all over the western part of East Timor of massive forced displacement of the population to refugee camps in West Timor. The preparation of such camps was publicly announced by General Wiranto in late August, ostensibly to receive the mass of people who would be voluntarily fleeing East Timor in the aftermath of the vote. It now appears that efforts are under way to permanently disperse these people all around Indonesia. But the terror has not ended with their displacement. We have reliable and corroborated reports that the militia/TNI are at this moment combing the refugee camps with lists looking for students, intellectuals and activists, then taking these people away.

5. The entire urban population of Dili has either fled to the hills or been forcibly relocated outside of East Timor. There are unconfirmed reports that a triage was performed before departure, and that large groups have disappeared. We have received reliable eyewitness testimony that people were carefully checked and interrogated during transit, and that certain individuals were killed and thrown overboard. In Kupang there are reportedly tens of thousands of internally displaced persons (IDPs), and a large East Timorese militia

presence is roaming the streets, terrorizing the local population, and the East Timorese IDPs in particular.

6. In our view, this massive forced relocation outside of East Timor has been designed to give the impression of large-scale dissatisfaction with the vote, a situation of civil war, and to bring large groups of the population under Indonesian control away from the spotlight of international attention. But it cannot be ruled out that these are the first stages of a genocidal campaign to stamp out the East Timorese problem by force.

Selective execution of students, intellectuals and activists

7. In addition to the killings reported as part of the relocation programme, there are many reports of deaths in East Timor. In particular, many pro-independence activists and other community leaders, including the clergy, are feared to have been killed in reprisal for their support, real or implied, for the independence option. There are also reports of mass killings in various locations, including Dili and the IDP camp in the church in Suai.

8. It is clear that these crimes against humanity are part of a "scorched earth" policy. The reduction of East Timor to rubble, aside from teaching the East Timorese a lesson and sabotaging their chances of a successful transition to independence, sends a warning to other potential breakaway regions of Indonesia. But the worst may be yet to come. Much of the population remains very vulnerable to starvation or attack. The pro-independence guerrillas are, as far as we know, still concentrated in certain areas, and the political leadership is concentrated in Dare, quite close to Dili. Food and water shortages are becoming critical, and we cannot rule out further military operations against these populations.

9. This destruction has not been conducted by frustrated and insecure civilians. That is the myth which the Indonesian authorities are striving to convey. The evidence for a direct link between the militia and the military is beyond any dispute and has been overwhelmingly documented by UNAMET over the last four months. But the scale and thoroughness of the destruction of East Timor in the past week has demonstrated a new level of open participation of the military in the implementation of what was previously a more veiled operation. This open military role has now been legitimized by the invocation of martial law.

UNITED
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Security Council

Distr.
GENERAL

S/1999/976/Corr.1
20 September 1999

ORIGINAL: ENGLISH

REPORT OF THE SECURITY COUNCIL MISSION TO JAKARTA AND DILI, 8 TO 12 SEPTEMBER 1999

Corrigendum

Paragraph 15, fourth sentence

The sentence should read

Rather, there were clear signs that the violence could, as many UNAMET staff described it, be "switched on and off".

99-27021 (E) 200999

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/977
15 September 1999

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its previous resolutions and the statements of its President on the situation in East Timor,

Recalling also the Agreement between Indonesia and Portugal on the question of East Timor of 5 May 1999 and the Agreements between the United Nations and the Governments of Indonesia and Portugal of the same date regarding the modalities for the popular consultation of the East Timorese through a direct ballot and security arrangements (S/1999/513, Annexes I to III),

Reiterating its welcome for the successful conduct of the popular consultation of the East Timorese people of 30 August 1999 and taking note of its outcome, which it regards as an accurate reflection of the views of the East Timorese people,

Deeply concerned by the deterioration in the security situation in East Timor, and in particular by the continuing violence against and large scale displacement and relocation of East Timorese civilians,

Deeply concerned also at the attacks on the staff and premises of the United Nations Mission in East Timor (UNAMET), on other officials and on international and national humanitarian personnel,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994,

Appalled by the worsening humanitarian situation in East Timor, particularly as it affects women, children and other vulnerable groups,

Reaffirming the right of refugees and displaced persons to return in safety and security to their homes,

Endorsing the report of the Security Council Mission to Jakarta and Dili (S/1999/976),

Welcoming the statement by the President of Indonesia on 12 September 1999 in which he expressed the readiness of Indonesia to accept an international peacekeeping force through the United Nations in East Timor,

Welcoming the letter from the Minister for Foreign Affairs of Australia to the Secretary-General of 14 September 1999 (S/1999/975),

Reaffirming respect for the sovereignty and territorial integrity of Indonesia,

Expressing its concern at reports indicating that systematic, widespread and flagrant violations of international humanitarian and human rights law have been committed in East Timor, and stressing that persons committing such violations bear individual responsibility,

Determining that the present situation in East Timor constitutes a threat to peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. Condemns all acts of violence in East Timor, calls for their immediate end and demands that those responsible for such acts be brought to justice;

2. Emphasizes the urgent need for coordinated humanitarian assistance and the importance of allowing full, safe and unimpeded access by humanitarian organizations and calls upon all parties to cooperate with such organizations so as to ensure the protection of civilians at risk, the safe return of refugees and displaced persons and the effective delivery of humanitarian aid;

3. Authorizes the establishment of a multinational force under a unified command structure, pursuant to the request of the Government of Indonesia conveyed to the Secretary-General on 12 September 1999, with the following tasks: to restore peace and security in East Timor, to protect and support UNAMET in carrying out its tasks and, within force capabilities, to facilitate humanitarian assistance operations, and authorizes the States participating in the multinational force to take all necessary measures to fulfil this mandate;

4. Welcomes the expressed commitment of the Government of Indonesia to cooperate with the multinational force in all aspects of the implementation of its mandate and looks forward to close coordination between the multinational force and the Government of Indonesia;

5. Underlines the Government of Indonesia's continuing responsibility under the Agreements of 5 May 1999, taking into account the mandate of the multinational force set out in paragraph 3 above, to maintain peace and security in East Timor in the interim phase between the conclusion of the popular consultation and the start of the implementation of its result and to guarantee the security of the personnel and premises of UNAMET;

6. Welcomes the offers by Member States to organize, lead and contribute to the multinational force in East Timor, calls on Member States to make further contributions of personnel, equipment and other resources and invites Member

States in a position to contribute to inform the leadership of the multinational force and the Secretary-General;

7. Stresses that it is the responsibility of the Indonesian authorities to take immediate and effective measures to ensure the safe return of refugees to East Timor;

8. Notes that Article 6 of the Agreement of 5 May 1999 states that the Governments of Indonesia and Portugal and the Secretary-General shall agree on arrangements for a peaceful and orderly transfer of authority in East Timor to the United Nations, and requests the leadership of the multinational force to cooperate closely with the United Nations to assist and support those arrangements;

9. Stresses that the expenses for the force will be borne by the participating Member States concerned and requests the Secretary-General to establish a trust fund through which contributions could be channelled to the States or operations concerned;

10. Agrees that the multinational force should collectively be deployed in East Timor until replaced as soon as possible by a United Nations peacekeeping operation, and invites the Secretary-General to make prompt recommendations on a peacekeeping operation to the Security Council;

11. Invites the Secretary-General to plan and prepare for a United Nations transitional administration in East Timor, incorporating a United Nations peacekeeping operation, to be deployed in the implementation phase of the popular consultation (phase III) and to make recommendations as soon as possible to the Security Council;

12. Requests the leadership of the multinational force to provide periodic reports on progress towards the implementation of its mandate through the Secretary-General to the Council, the first such report to be made within 14 days of the adoption of this resolution;

13. Decides to remain actively seized of the matter.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/978
15 September 1999
ENGLISH
ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 12 SEPTEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I should like to draw your attention to the following:

At 1315 hours on 9 September 1999, United States and United Kingdom aircraft perpetrated a new act of aggression which comes in addition to the long list of daily assaults against Iraq. These aircraft fired projectiles at the province of Almutanah in the south of Iraq, causing very substantial damage to the silo situated in the town of Samawah, as well as the following damage:

1. One of the co-users of the silo was killed and three others were wounded.

2. The windows of the houses inhabited by the silo employees were broken.

3. The windows of several other offices of the silo administration were broken and fragments propelled by the explosion fell into the grain reserves.

While condemning these criminal and repeated acts of aggression against the territory and population of Iraq, we request the Security Council to take fully upon itself the responsibilities entrusted to it by the Charter of the United Nations and to take the steps necessary to ensure that the Governments of the United States of America and the United Kingdom put an end to their acts of aggression against Iraq.

We reaffirm the legally unassailable right of the Republic of Iraq to request compensation in accordance with the principles of State responsibility for all human, material and moral losses sustained by Iraq as a result of these acts of aggression, which are in violation of the Charter of the United Nations and the principles of international law.

I should be grateful if you would circulate the text of this letter as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

99-26565 (E) 150999 150999

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/54/351
S/1999/979
15 September 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-fourth session
Item 161 of the provisional agenda*
MEASURES TO ELIMINATE INTERNATIONAL
TERRORISM

SECURITY COUNCIL
Fifty-fourth year

Letter dated 13 September 1999 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to refer to the letter dated 20 July 1999 addressed to you from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations (A/53/1024-S/1999/811).

This letter obscures the fact that the Government of Lebanon is directly responsible for the volatile situation along its southern border, and that it continues to reject available means for resolving the conflict.

Indeed, even as the parties to the Middle East conflict are presented with opportunities to achieve a comprehensive and lasting peace, Lebanon continues to openly support a terror campaign aimed against the very existence of a neighbouring State. Simultaneously, Lebanon refuses to respond to Israel's repeated invitation to negotiate the implementation of Security Council resolution 425 (1978) of 19 March 1978, which would resolve the conflict. It has been more than 18 months since this invitation was extended, and Lebanon has opted to allow the conflict to continue, and the human toll to rise, rather than negotiate a solution. The perpetuation of the conflict, therefore, is Lebanon's own doing.

I wish to recall the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States, contained in resolution 2625 (XXV) of 24 October 1970, providing that sovereignty carries a responsibility not to allow terrorist acts to be organized or prepared in one's territory.

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* A/54/150.

The policies of Lebanon stand in direct contradiction to this provision. Not only does the Government of Lebanon refuse to disarm and restrain these groups, but Lebanon has openly adopted the terrorist group Hizballah as its own, calling it the "Lebanese national resistance" (see A/53/878-S/1999/333).

Let there be no confusion about the threat posed by Hizballah. Hizballah does not act as a "resistance" group, and its threat does not end with an Israeli withdrawal from Lebanon. As Mohammed Ra'ed, head of Hizballah's council, said in reference to Israel: "There are numerous ways in which we can pursue the enemies, even after they withdraw from our occupied land" (Radio Nur, 24 December 1998). Moreover, as recently as last month, Hizballah leader Sheikh Hassan Nassrallah made clear the organization's opposition to the very existence of the State of Israel: "We have our view of occupied Palestine, which we consider to be occupied from the Jordan River to the Mediterranean, and no one has a right to cede one iota of its soil" (Egyptian satellite channel, Cairo, 1 August 1999). Yet, the Prime Minister of Lebanon has repeatedly praised the "jihad" of Hizballah and its alleged "resistance" (Voice of Lebanon, 16 February 1999).

This policy coincides with Lebanon's continued rejection of a negotiated solution to end the conflict. Resolution 425 (1978) calls not only for the withdrawal of Israeli forces, but also for the restoration of international peace and security and the return of the effective authority of the Lebanese Government in the area. The declared willingness of the Lebanese Government to host an elaborate terrorist infrastructure, to permit its regular reinforcement and to endorse its operations directed against a neighbouring country is totally incompatible with the last two provisions of the resolution.

Taken together with its refusal to negotiate a peaceful solution, the policies of Lebanon leave Israel with no choice but to exercise its right to self-defence in accordance with international law. Nevertheless, Israel once again calls upon the Government of Lebanon to return to the negotiating table and to restore peace and security along our common border.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under item 161 of the provisional agenda, and of the Security Council.

(Signed) Dore GOLD
Ambassador
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1999/980
15 September 1999

ORIGINAL: ENGLISH

LETTER DATED 10 SEPTEMBER 1999 FROM THE PERMANENT OBSERVER OF PALESTINE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to request that, in accordance with its previous practice, the Security Council invite Ambassador Nasser Al-Kidwa, Permanent Observer of Palestine to the United Nations, to participate in the upcoming meetings of the Security Council, beginning on Thursday, 16 September 1999, regarding civilians in armed conflict.

(Signed) Nasser AL-KIDWA
Ambassador
Permanent Observer of Palestine
to the United Nations

99-26590 (E) 150999

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/981
17 September 1999

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling the statement of its President of 12 February 1999 (S/PRST/1999/6),

Having considered the report of the Secretary-General of 8 September 1999 (S/1999/957) submitted to the Security Council in accordance with the above-mentioned statement,

Taking note of the reports of the Secretary-General of 13 April 1998 on the "Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa" (S/1998/318) and 22 September 1998 on the "Protection for Humanitarian Assistance to Refugees and Others in Conflict Situations" (S/1998/883), in particular their analysis related to the protection of civilians,

Noting that civilians account for the vast majority of casualties in armed conflicts and are increasingly targeted by combatants and armed elements, gravely concerned by the hardships borne by civilians during armed conflict, in particular as a result of acts of violence directed against them, especially women, children and other vulnerable groups, including refugees and internally displaced persons, and recognizing the consequent impact this will have on durable peace, reconciliation and development,

Bearing in mind its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, and underlining the importance of taking measures aimed at conflict prevention and resolution,

Stressing the need to address the causes of armed conflict in a comprehensive manner in order to enhance the protection of civilians on a long-term basis, including by promoting economic growth, poverty eradication, sustainable development, national reconciliation, good governance, democracy, the rule of law and respect for and protection of human rights,

Expressing its deep concern at the erosion in respect for international humanitarian, human rights and refugee law and principles during armed conflict, in particular deliberate acts of violence against all those protected under such

law, and expressing also its concern at the denial of safe and unimpeded access to people in need,

Underlining the importance of the widest possible dissemination of international humanitarian, human rights and refugee law and of relevant training for, inter alia, civilian police, armed forces, members of the judicial and legal professions, civil society and personnel of international and regional organizations,

Recalling the statement of its President of 8 July 1999 (S/PRST/1999/21), and emphasizing its call for the inclusion, as appropriate, within specific peace agreements and, on a case-by-case basis, within United Nations peacekeeping mandates, of clear terms for the disarmament, demobilization and reintegration of ex-combatants, including the safe and timely disposal of arms and ammunition,

Mindful of the particular vulnerability of refugees and internally displaced persons, and reaffirming the primary responsibility of States to ensure their protection, in particular by maintaining the security and civilian character of refugee and internally displaced person camps,

Underlining the special rights and needs of children in situations of armed conflict, including those of the girl-child,

Recognizing the direct and particular impact of armed conflict on women as referred to in paragraph 18 of the report of the Secretary-General and, in this regard, welcoming the ongoing work within the United Nations system on the implementation of a gender perspective in humanitarian assistance and on violence against women,

1. Welcomes the report of the Secretary-General of 8 September 1999, and takes note of the comprehensive recommendations contained therein;

2. Strongly condemns the deliberate targeting of civilians in situations of armed conflict as well as attacks on objects protected under international law, and calls on all parties to put an end to such practices;

3. Emphasizes the importance of preventing conflicts which could endanger international peace and security and, in this context, highlights the importance of implementing appropriate preventive measures to resolve conflicts, including the use of United Nations and other dispute settlement mechanisms and of preventive military and civilian deployments, in accordance with the relevant provisions of the Charter of the United Nations, resolutions of the Security Council and relevant international instruments;

4. Urges all parties concerned to comply strictly with their obligations under international humanitarian, human rights and refugee law, in particular those contained in the Hague Conventions of 1899 and 1907 and in the Geneva Conventions of 1949 and their Additional Protocols of 1977, as well as with the decisions of the Security Council;

5. Calls on States which have not already done so to consider ratifying the major instruments of international humanitarian, human rights and refugee law, and to take appropriate legislative, judicial and administrative measures to implement these instruments domestically, drawing on technical assistance, as appropriate, from relevant international organizations including the International Committee of the Red Cross and United Nations bodies;

6. Emphasizes the responsibility of States to end impunity and to prosecute those responsible for genocide, crimes against humanity and serious violations of international humanitarian law, affirms the possibility, to this end, of using the International Fact-Finding Commission established by Article 90 of the First Additional Protocol to the Geneva Conventions, reaffirms the importance of the work being done by the ad hoc Tribunals for the former Yugoslavia and Rwanda, stresses the obligation of all States to cooperate fully with the Tribunals, and acknowledges the historic significance of the adoption of the Rome Statute of the International Criminal Court which is open for signature and ratification by States;

7. Underlines the importance of safe and unhindered access of humanitarian personnel to civilians in armed conflict, including refugees and internally displaced persons, and the protection of humanitarian assistance to them, and recalls in this regard the statements of its President of 19 June 1997 (S/PRST/1997/34) and 29 September 1998 (S/PRST/1998/30);

8. Emphasizes the need for combatants to ensure the safety, security and freedom of movement of United Nations and associated personnel, as well as personnel of international humanitarian organizations, and recalls in this regard the statements of its President of 12 March 1997 (S/PRST/1997/13) and 29 September 1998;

9. Takes note of the entry into force of the Convention on the Safety of United Nations and Associated Personnel of 1994, recalls the relevant principles contained therein, urges all parties to armed conflicts to respect fully the status of United Nations and associated personnel and, in this regard, condemns attacks and the use of force against United Nations and associated personnel, as well as personnel of international humanitarian organizations, and affirms the need to hold accountable those who commit such acts;

10. Expresses its willingness to respond to situations of armed conflict where civilians are being targeted or humanitarian assistance to civilians is being deliberately obstructed, including through the consideration of appropriate measures at the Council's disposal in accordance with the Charter of the United Nations, and notes, in that regard, the relevant recommendations contained in the report of the Secretary-General;

11. Expresses its willingness to consider how peacekeeping mandates might better address the negative impact of armed conflict on civilians;

12. Expresses its support for the inclusion, where appropriate, in peace agreements and mandates of United Nations peacekeeping missions, of specific and adequate measures for the disarmament, demobilization and reintegration of ex-combatants, with special attention given to the demobilization and

reintegration of child soldiers, as well as clear and detailed arrangements for the destruction of surplus arms and ammunition and, in this regard, recalls the statement of its President of 8 July 1999;

13. Notes the importance of including in the mandates of peacemaking, peacekeeping and peace-building operations special protection and assistance provisions for groups requiring particular attention, including women and children;

14. Requests the Secretary-General to ensure that United Nations personnel involved in peacemaking, peacekeeping and peace-building activities have appropriate training in international humanitarian, human rights and refugee law, including child and gender-related provisions, negotiation and communication skills, cultural awareness and civilian-military coordination, and urges States and relevant international and regional organizations to ensure that appropriate training is included in their programmes for personnel involved in similar activities;

15. Underlines the importance of civilian police as a component of peacekeeping operations, recognizes the role of police in assuring the safety and well-being of civilians and, in this regard, acknowledges the need to enhance the capacity of the United Nations for the rapid deployment of qualified and well-trained civilian police;

16. Reaffirms its readiness, whenever measures are adopted under Article 41 of the Charter of the United Nations, to give consideration to their impact on the civilian population, bearing in mind the needs of children, in order to consider appropriate humanitarian exemptions;

17. Notes that the excessive accumulation and destabilizing effect of small arms and light weapons pose a considerable impediment to the provision of humanitarian assistance and have a potential to exacerbate and prolong conflicts, endanger the lives of civilians and undermine security and the confidence required for a return to peace and stability;

18. Takes note of the entry into force of the Convention on the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and their Destruction of 1997 and the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 1980, recalls the relevant provisions contained therein, and notes the beneficial effect that their implementation will have on the safety of civilians;

19. Reiterates its grave concern at the harmful and widespread impact of armed conflict on children, recalls its resolution 1261 (1999) of 25 August 1999, and reaffirms the recommendations contained therein;

20. Stresses the importance of consultation and cooperation between the United Nations, the International Committee of the Red Cross and other relevant organizations, including regional organizations, on follow-up to the report of

the Secretary-General and encourages the Secretary-General to continue consultations on this subject and to take concrete actions aimed at enhancing the capacity of the United Nations to improve the protection of civilians in armed conflict;

21. Expresses its willingness also to work in cooperation with regional organizations to examine how these bodies might better enhance the protection of civilians in armed conflict;

22. Decides to establish immediately an appropriate mechanism to review further the recommendations contained in the report of the Secretary-General and to consider appropriate steps by April 2000 in accordance with its responsibilities under the Charter of the United Nations;

23. Decides to remain actively seized of the matter.